

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) Case No. **18-66766-JWC**
)
BEAUTIFUL BROWS LLC,) Chapter 11
)
Debtor.)

**EMERGENCY MOTION TO SELL PERSONAL PROPERTY THROUGH AN
INTERNET AUCTION**

NOW COMES the above captioned debtor, by and through its attorney, along with the appointed Chapter 11 Trustee Greg Hays (the "Trustee") and hereby submits this joint motion to approve the sale of certain personal property. In support of this motion (the "Motion"), the Debtor and Trustee respectfully show the Court as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Determination of this matter is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (N) and (O). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409(a). The statutory predicates for the actions contemplated herein are Sections 105 and 363(b) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* as amended (the "Bankruptcy Code") and Federal Rules of Bankruptcy Procedure 2002 and 6004(a) and (c).

BACKGROUND

2. On October 3, 2018 (the "**Petition Date**"), Beautiful Brows, LLC (the "**Debtor**"), commenced its reorganization case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code, 11 U.S.C. §§ 101-1330, *et seq.* (the "**Bankruptcy Code**").

3. The Debtor owns certain personal property located at 5002 North Royal Atlanta Drive, Tucker, Georgia, including several pieces of equipment that are not essential to the

Debtor's operating locations, such as a laser hair removal machine that is not being used and several salon chairs and bar stools (collectively referred to as the "**Beautiful Brows Personal Property**")

4. The Court has entered an Order [Doc. No. 76] authorizing the employment of Bullseye Auction & Appraisal, LLC ("Auctioneer") as auctioneer for the Debtor's bankruptcy estate, and the Auctioneer has prepared to hold an online auction on February 27, 2019.¹

RELIEF REQUESTED

5. By this motion, pursuant to sections 363(b) of the Bankruptcy Code, Trustee seeks this Court's authorization and approval to sell the Beautiful Brows Personal Property through an online auction "as is," "where is," "with all faults" and without representation or warranty, express or implied.

6. Trustee moves for authority to have all gross sale proceeds paid to him at closing, and Trustee requests authorization to pay Auctioneer a ten (10%) percent commission on the gross sales price of the Beautiful Brows Personal Property as well as authorization for Auctioneer to receive a ten (10%) percent buyer's premium from each individual buyer. Trustee also request authorization to pay Auctioneer \$500 as reimbursement for auction expenses. A separate motion will be filed to obtain court approval to make any further disbursements of sale proceeds

7. Based on the urgency of closing this proposed sale, the parties request that the Court's order on this matter provide that Interim Bankruptcy Rule 6004(h) not apply and that the order not be stayed.

¹ The online auction will be held on Auctioneer's website through the following link:
<https://www.bullseyeauctions.com/auctions/detail/gentle-yag-pro-u-pulsed-laser-hair-removal-machines-large-in-bw35970>

WHEREFORE, the Debtor and the Trustee respectfully request that this Court enter an Order: (i) approving the proposed Section 363 sale of personal property as described herein, and (ii) granting such other relief as is just and proper

Respectfully submitted this 15th day of February, 2019

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*signed by Jason L. Pettie, with express
permission granted 2/15/2019